

RANKIN, HILL, PORTER & CLARK LLP

4080 ERIE STREET
WILLOUGHBY, OHIO 44094-7836, U.S.A.

TELEPHONE +1 (216) 566-9700

PATENT MAINTENANCE
DIVISION

FACSIMILE +1 (216) 566-9711

E-MAIL spaw@rankinhill.com

TO
COMPANY OR FIRM
FACSIMILE TEL. NO.
FROM
DATE
NUMBER OF PAGES
(INCLUDING THIS PAGE)
RE
YOUR REF.
OUR REF.

Attention: Refunds
US PATENT & TRADEMARK
US PTO OFFICE
571-273-6500

US PATENT & TRADEMARK
OFFICE

David E. Spaw
January 18, 2006

2

U.S. Patent Application for:
"DISPLACEMENT MEASURING INSTRUMENT"

Serial No. 10/799561; Filed March 11, 2004

KIN-15384

US PATENT & TRADEMARK
OFFICE

JAN 19 PM 3:46

PATENT MAINTENANCE
DIVISION

Dear Sir/Madam:

A "Reinstatement of Appeal" was filed on January 9, 2006 in the above-identified application. On January 12, 2006 our deposit account was debited \$500.00 for a Notice of appeal fee (Code 1401) in this case. We believe a Notice of Appeal Fee is not due in this case as a Notice of Appeal fee in the amount of \$500.00 was paid on June 1, 2005 and, as evidenced by the attached excerpt from the United States Patent and Trademark Office MPEP, an additional fee is not due for the Reinstatement of Appeal. We therefore request that \$500.00 be credited to our Deposit Account 18-0160 Order No. KIN-15384.

Please contact me if you have any questions in this matter (216-566-9700).

Very truly yours,



David E. Spaw

DES:pa
Attachment

Best Available Copy

The documents accompanying this facsimile transmission contain information from the law firm of Rankin, Hill, Porter & Clark LLP, which may be confidential or privileged. The information is intended to be for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, any disclosure, copying, distribution or use of the contents of this transmitted information is prohibited. If you have received this transmission in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you.



United States Patent and Trademark Office

PATENTS

Home | Site Index | Search | FAQ | Glossary | Guides | Contacts | eBusiness | eBiz alerts | News | Help PATENT INQUIRY SERVICE DIVISION

Patents >

Go to MPEP - Table of Contents

2006 JAN 19 PM 3:46

US PATENT & TRADEMARK
OFFICE

browse before

1204.01 Reinstatement of Appeal [R-3] - 1200 Appeal

>

1204.01 Reinstatement of Appeal [R-3]

If an appellant wishes to reinstate an appeal after prosecution is reopened, appellant must file a new notice of appeal in compliance with 37 CFR 41.31 and a complete new appeal brief in compliance with 37 CFR 41.37. Any previously paid appeal fees set forth in 37 CFR 41.20 for filing a notice of appeal, filing an appeal brief, and requesting an oral hearing (if applicable) will be applied to the new appeal on the same application as long as a final Board decision has not been made on the prior appeal. If, however, the appeal fees have increased since they were previously paid, then appellant must pay the difference between the current fee(s) and the amount previously paid. Appellant must file a complete new appeal brief in compliance with the format and content requirements of 37 CFR 41.37 (c) within two months from the date of filing the new notice of appeal. See MPEP § 1205.

<

*>

browse after

KEY: =online business system =fees =forms =help =laws/regulations =definition (glossary)

The Inventors Assistance Center is available to help you on patent matters. Send questions about USPTO programs and services to the USPTO Contact Center (UCC). You can suggest USPTO webpages or material you would like featured on this section by E-mail to the webmaster@uspto.gov. While we cannot promise to accommodate all requests, your suggestions will be considered and may lead to other improvements on the website.

[HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)

Last Modified: 12/07/2005 06:34:36

Go to MPEP - Table of Contents

Best Available Copy

http://www.uspto.gov/web/offices/pac/mpep/documents/1200_1204_01.htm

1/9/2006



AF *lmw*

PTO/SB/31 (08-03)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**NOTICE OF APPEAL FROM THE EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTEFERENCES**

Docket Number (Optional)

KIN-15384

I hereby certify that this correspondence is being deposited with the
United States Postal Service with sufficient postage as first class mail
in an envelope addressed to "Commissioner for Patents, P.O. Box
1450, Alexandria, VA 22313-1450"
on January 9, 2006

Signature

Typed or printed
name

David E. Spaw

In re Application of

Chikara Sugai et al.

Application Number
10/799561

Filed
3/11/2004

For **DISPLACEMENT MEASURING INSTRUMENT**

Art Unit
2859

Examiner

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 1.17(b))

\$ **500.00***

* Please apply Notice of Appeal
Fee paid June 1, 2005

- ☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:
- ☐ A check in the amount of the fee is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 18-0160. I have enclosed a duplicate copy of this sheet.
- ☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

- ☐ applicant/inventor.
- ☐ assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/98)
- ☒ attorney or agent of record.
Registration number 34732
- ☐ attorney or agent acting under 37 CFR 1.34(a).
Registration number if acting under 37 CFR 1.34(e) _____

Signature

David E. Spaw

Typed or printed name

216-566-9700

Telephone number

January 9, 2006

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.
Submit multiple forms if more than one signature is required, see below.

☒ *Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.191. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

01/12/2006 SSESHE1-00000072-180160-10799561

01FC:1401 500.00-DA

Adjustment date: 01/26/2006 FEKUPAY1
01/12/2006 SSESHE1 00000072 180160 10799561
01 FC:1401 500.00 CR

BEST AVAILABLE COPY